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REMARKS

The indication of allowable subject matter in claims 9 and 11 is acknowledged and appreciated. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

Claims 8 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lin et al. '380 ("Lin"). This rejection is respectfully traversed for the following reasons.

Claim 8 recites in pertinent part, "the development LSI device includes a secure memory for storing encrypted common key information regarding a raw common key <u>different from an inherent and permanent key used for product mode,</u> which is implemented in the LSI device in advance" (emphasis added). Claim 10 recites in pertinent part, "a secure memory for storing encrypted common key information regarding a raw common key <u>different from an inherent and permanent key used for product mode,</u> which is implemented in the LSI device in advance" (emphasis added). As admitted by the Examiner, Lin does not disclose an "inherent and permanent key" let alone suggest different keys for respective modes (product and development).

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra,* 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission,* 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Lin does not anticipate claims 8 and 10, nor any claim dependent thereon.

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Claims 1-7 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

Lin in view of Nelson '203 ("Nelson"). Claim 1 is independent. This rejection is respectfully

traversed for the following reasons.

Claim 1 recites in pertinent part, "setting the provided LSI device to a development mode

based on an inherent and permanent key information for the development mode, which is

implemented in the unrewritable area of the LSI device in advance...the inherent and permanent

key information for the development mode being different from an inherent and permanent key

information for the product mode." As admitted by the Examiner, Lin does not disclose an

"inherent and permanent key." The Examiner relies on Figure 3C of Nelson (and the

corresponding description) for allegedly obviating this deficiency of Lin. However, it is

respectfully submitted that the proposed combination, even assuming proper, does not disclose

the claimed combination.

Specifically, in direct contrast to the present invention, the alleged key information of

Nelson is stored in a "WRITE ONLY MEMORY" rather than an "unrewritable area." It follows

that Nelson further fails to disclose a "permanent key," as the key stored in the write-only

memory of Nelson can be changed. In any event, similar to the discussion above with respect to

Lin and claims 8-10, Nelson also fails to disclose or suggest that the alleged inherent and

permanent key information for the development mode is <u>different</u> from an inherent and

permanent key information for the product mode. Rather, according to Nelson, the Decryption

Key installed for the development mode is also used for the product mode as it is, so that the

respective keys in the development and product modes are the <u>same</u>. That is, Nelson does not

distinguish between the keys in the respective modes.

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In sum, neither Lin nor Nelson, alone or in combination, disclose or suggest the claimed combination as embodied in claim 1. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as the independent claims are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 102/103 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 500417 and please credit any excess fees to

such deposit account.

Respectfully submitted,

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